(JCx), CLOSED, DISCOVERY, MANADR

UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA (Western Division − Los Angeles)
CIVIL DOCKET FOR CASE #: 2:11−cv−10148−ODW−JC

ACLU Southern California v. United States Immigration and Customs Enforcement
Assigned to: Judge Otis D Wright, II
Referred to: Magistrate Judge Jacqueline Chooljian
Cause: 05:552 Freedom of Information Act

Date Filed: 12/07/2011
Date Terminated: 11/16/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

ACLU Southern California represented by

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V.

Defendant

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a component of the Department of Homeland Security

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Defendant

United States Department of Homeland Security

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Date Filed	#	Docket Text
12/07/2011	1	COMPLAINT against Defendant United States Immigration and Customs Enforcement. Case assigned to Judge Otis D Wright, II for all further proceedings. Discovery referred to Magistrate Judge Jacqueline Chooljian.(Filing fee $ 350 Paid.), filed by Plaintiff ACLU Southern California.(et) (mg). (Entered: 12/08/2011)
12/07/2011		60 DAY Summons Issued re Complaint − (Discovery) 1 as to Defendant United States Immigration and Customs Enforcement. (et) (Entered: 12/08/2011)
12/07/2011	2	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff ACLU Southern California. (et) (mg). (Entered: 12/08/2011)
12/07/2011	3	NOTICE TO PARTIES OF ADR PROGRAM filed. (et) (Entered: 12/08/2011)
12/08/2011	4	MINUTE ORDER IN CHAMBERS by Judge Otis D Wright, II:This action has been assigned to the calendar of Judge Otis D. Wright II. Counsel are encouraged

		to review the Central Districts website for additional information.It is not necessary to clear a motion date with the Court Clerk prior to filling the motion. The Court hears motions on Mondays, Criminal at 10:00 a.m. and Civil at 1:30 p.m. The Court requires delivery of one non−blue backed Mandatory Chambers Copies of only the following manual and electronically filed documents to Judge Wrights document box outside the entrance to chambers near courtrooms 10 and 12: (1) All noticed motion and related documents; (2) All ex parte applications and related documents; and (3) All exhibits and attachments must be separately tabbed. [Refer to the Courts General Order No. 10−07 regarding ECF Courtesy paper Copies.] Attention ECF Attorneys− Chambers Email Addresses are available under your Utilities menu. (lc) (Entered: 12/08/2011)
02/02/2012	5	PROOF OF SERVICE filed by plaintiff ACLU Southern California, re Notice to Parties of Court−Directed ADR Program (ADR−8) 3 , Complaint − (Discovery), Complaint − (Discovery) 1 , Certificate/Notice of Interested Parties 2 served on 12/08/2011. (Horth−Neubert, Stacy) (Entered: 02/02/2012)
02/09/2012	6	ANSWER to Complaint − (Discovery), Complaint − (Discovery) 1 filed by defendant United States Immigration and Customs Enforcement.(Setter, John) (Entered: 02/09/2012)
02/09/2012	7	First NOTICE of Appearance filed by attorney John George Setter, Jr on behalf of Defendant United States Immigration and Customs Enforcement (Setter, John) (Entered: 02/09/2012)
02/10/2012	8	ORDER setting Scheduling Conference for 4/30/2012 at 01:30 PM; compliance with FRCP 26(f) and filing of report and other instructions. Counsel for plaintiff shall immediately serve this Order on all parties, including any new parties to the action by Judge Otis D Wright II. (sch) (Entered: 02/10/2012)
02/10/2012	9	NOTICE Of Scheduling Conference filed by Plaintiff ACLU Southern California. (Attachments: # 1 Scheduling Conference Order)(Horth−Neubert, Stacy) (Entered: 02/10/2012)
02/10/2012	10	PROOF OF SERVICE filed by Plaintiff ACLU Southern California, re Notice (Other) 9 served on February 10, 2012. (Horth−Neubert, Stacy) (Entered: 02/10/2012)
02/13/2012	11	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice (Other) 9 . The following error(s) was found: Case number is missing. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 02/13/2012)
02/15/2012	12	NOTICE OF ERRATA filed by Plaintiff ACLU Southern California. correcting Notice (Other) 9 *of Scheduling Conference* (Attachments: # 1 Notice of Scheduling Conference)(Horth−Neubert, Stacy) (Entered: 02/15/2012)
02/28/2012	13	PROOF OF SERVICE filed by plaintiff ACLU Southern California, re Notice to Parties of Court−Directed ADR Program (ADR−8) 3 , Complaint − (Discovery), Complaint − (Discovery) 1 , Certificate/Notice of Interested Parties 2 served on 02/21/2012. (Horth−Neubert, Stacy) (Entered: 02/28/2012)
03/01/2012	14	FIRST AMENDED COMPLAINT against defendants United States Immigration and Customs Enforcement, United States Department of Homeland Security amending Complaint − (Discovery) 1 filed by plaintiff ACLU Southern California (lc) (Additional attachment(s) added on 3/5/2012: # 1 60 day summons issued) (lc). (Entered: 03/01/2012)
03/01/2012		60 DAY Summons Issued re Amended Complaint 14 as to defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (lc) (Entered: 03/05/2012)
03/13/2012	15	PROOF OF SERVICE filed by plaintiff ACLU Southern California, re Summons Issued, Amended Complaint, 14 served on 03/01/2012. (Horth−Neubert, Stacy) (Entered: 03/13/2012)

03/14/2012	16	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Proof of Service (subsequent documents) 15 . The following error(s) was found: Incorrect event selected. The correct event is: Service of summons and complaint returned executed as to USA. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 03/14/2012)
04/05/2012	17	ANSWER to Amended Complaint, 14 filed by defendant United States Immigration and Customs Enforcement.(Setter, John) (Entered: 04/05/2012)
04/05/2012	18	ANSWER to Amended Complaint, 14 filed by defendant United States Immigration and Customs Enforcement.(Setter, John) (Entered: 04/05/2012)
04/06/2012	19	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: US Immigtation &Customs Answer to Complaint 18 , Answer to Complaint 17 . The following error(s) was found: identical Answer e−filed twice. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 04/06/2012)
04/16/2012	20	JOINT REPORT Rule 26(f) Discovery Plan *Report and Case Management Statement* filed by Plaintiff ACLU Southern California.. (Horth−Neubert, Stacy) (Entered: 04/16/2012)
04/18/2012	21	SCHEDULING AND CASE MANAGEMENT ORDER by Judge Otis D Wright II that the Court schedule of trial and pretrial date as following: Trial set for 12/11/2012 at 09:00 AM; File Final Trial Exhibit Stipulation on 12/06/2012; Hearing on Motions in Limine at 2:30 PM., on 12/3/2012; Final Pretrial Conference at 2:30 PM; Motions in Limine to be filed on 11/19/2012; Lodge Pretrial Conference Order &Pretrial Exhibit Stipulation File Trial briefs, File Contentions of Fact &Law, Exhibit &Witness Lists, File Status Report Regarding Settlement due by 11/12/2012. Last date to conduct settlement conference is 10/15/2012. Last day for hearing Motions on 10/22/2012. Discovery cut−off 9/10/2012. Last Date to Amend Pleadings or Add Parties due by 7/23/2012. (jp) (Entered: 04/18/2012)
07/13/2012	22	STIPULATION to Reschedule Schedule set by the Court in the April 18, 2012 Scheduling and Case Management Order filed by plaintiff ACLU Southern California.(Horth−Neubert, Stacy) (Entered: 07/13/2012)
07/16/2012	23	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Stipulation to Reschedule 22 . The following error(s) was found: Missing formal Proposed order which should have been submitted as a separate attachment. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 07/16/2012)
07/16/2012	24	SUPPLEMENT to Stipulation to Reschedule 22 filed by Plaintiff ACLU Southern California. (Horth−Neubert, Stacy) (Entered: 07/16/2012)
07/16/2012	25	ORDER DENYING the Stipulation to Reschedule 22 by Judge Otis D Wright, II (lc) (Entered: 07/16/2012)
07/23/2012	26	Joint STIPULATION to Reschedule Schedule set by the Court in the April 18, 2012 Scheduling and Case Management Order filed by plaintiff ACLU Southern California. (Attachments: # 1 Proposed Order Proposed Order Setting Status Conference, # 2 Proposed Order Proposed Order Granting Joint Application and Stipulation to Extend Time)(Horth−Neubert, Stacy) (Entered: 07/23/2012)
07/24/2012	27	ORDER DENYING JOINTAPPLICATION TO EXTEND TIME 26 . The Courts original schedule stands by Judge Otis D Wright, II (lc) (Entered: 07/24/2012)
07/25/2012	28	NOTICE OF MOTION AND First MOTION for Protective Order for discovery filed by defendant United States Department of Homeland Security. Motion set for

		hearing on 10/22/2012 at 01:30 PM before Judge Otis D Wright II. (Attachments: # 1 Exhibit, # 2 Proposed Order)(Setter, John) (Entered: 07/25/2012)
07/25/2012	29	MEMORANDUM in Support of First MOTION for Protective Order for discovery 28 filed by Defendant United States Department of Homeland Security. (Setter, John) (Entered: 07/25/2012)
08/07/2012	30	MINUTE ORDER (IN CHAMBERS) (1) RE REFERRAL OF MOTION FOR PROTECTIVE ORDER TO MAGISTRATE JUDGE; AND (2) RE SETTING TELEPHONIC CONFERENCE AND SCHEDULING by Magistrate Judge Jacqueline Chooljian: The District Judge has referred Defendants' Motion for Protective Order ("Defendants' Motion") to the Magistrate Judge for determination. Accordingly, the hearing on Defendants' Motion which is currently set for October 22, 2012 at 1:30 p.m. before the District Judge, is vacated. This Court deems it appropriate to hold a status conference1 before setting a new hearing date and a briefing schedule. The parties are directed forthwith to confer with one another and to notify the Clerk regarding their availability for such a status conference by not later than August 14, 2012. (hr) (Entered: 08/07/2012)
08/14/2012	31	MINUTE ORDER (IN CHAMBERS) ORDER SETTING TELEPHONIC STATUS CONFERENCE by Magistrate Judge Jacqueline Chooljian: A telephonic status conference regarding the Defendants Motion for Protective Order is scheduled for Wednesday, August 22, 2012 at 9:00 a.m. PST. The Clerk will initiate the conference call with the parties. (rp) (Entered: 08/16/2012)
08/22/2012	32	MINUTES OF TELEPHONIC STATUS CONFERENCE held before Magistrate Judge Jacqueline Chooljian: Case called. The Court and counsel conferred. The Court set the following dates relative to the pending Motion for Protective Order: September 4, 2012 − Plaintiffs Response/Opposition Due; September 7, 2012 − Defendants Reply Due ;September 10, 2012 at 11:00 a.m. PST Telephonic Hearing. The Clerk will initiate the conference call with the parties for the September 10, 2012 telephonic hearing. Tape #: CS08/22/2012. (rp) (Entered: 08/23/2012)
08/31/2012	33	NOTICE OF MOTION AND MOTION for Summary Judgment as to all counts filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. Motion set for hearing on 10/22/2012 at 01:30 PM before Judge Otis D Wright II. (Attachments: # 1 Statement of Uncontroverted Facts, # 2 Exhibit A, # 3 Exhibit B, # 4 Proposed Order)(Setter, John) (Entered: 08/31/2012)
09/04/2012	34	Joint STIPULATION to Withdraw Motion First MOTION for Protective Order for discovery 28 *and Withdrawal of Plaintiff's Discovery Requests* filed by Plaintiff ACLU Southern California. (Attachments: # 1 Proposed Order)(Horth−Neubert, Stacy) (Entered: 09/04/2012)
09/04/2012	35	ORDER (1) RE WITHDRAWAL OF DEFENDANTS MOTION FOR PROTECTIVE ORDER; (2) VACATING HEARING; AND (3) DIRECTING CLERK TO UPDATE DOCKET by Magistrate Judge Jacqueline Chooljian, re First MOTION for Protective Order for discovery 28 . The Court, having considered the parties Stipulation Withdrawing Plaintiff's Discovery Requests and Defendants Motion For Protective Order Related Thereto, as well as the files in this case and any oral argument presented, and for good cause shown therein, it is hereby ORDERED that: (1) Defendants Motion for Protective Order (Defendants Motion) is deemed withdrawn; (2) the September 10, 2012 hearing on Defendants Motion is vacated; and (3) the Clerk shall update the docket to reflect that Defendants Motion [Docket No. 28] is no longer pending. (rp) (Entered: 09/05/2012)
09/21/2012	36	OPPOSITION to MOTION for Summary Judgment as to all counts 33 *and Notice of Motion and Cross−Motion for Partial Summary Judgment* filed by Plaintiff ACLU Southern California. (Attachments: # 1 Statement of Uncontroverted Facts and Conclusions of Law, # 2 Proposed Order Statement of Decision, # 3 Appendix of Evidence, # 4 Declaration of Stacy R. Horth−Neubert, # 5 Exhibit Horth−Neubert 1−3, # 6 Exhibit Horth−Neubert 4, Part 1, # 7 Exhibit Horth−Neubert 4, Part 2, # 8 Exhibit Horth−Neubert 4, Part 3, # 9 Exhibit Horth−Neubert 4, Part 4, # 10 Exhibit Horth−Neubert 4, Part 5, # 11 Exhibit

		Horth−Neubert 4, Part 6, # 12 Exhibit Horth−Neubert 4, Part 7, # 13 Exhibit Horth−Neubert 4, Part 8, # 14 Exhibit Horth−Neubert 4, Part 9, # 15 Exhibit Horth−Neubert 4, Part 10, # 16 Exhibit Horth−Neubert 4, Part 11, # 17 Exhibit Horth−Neubert 4, Part 12, # 18 Exhibit Horth−Neubert 4, Part 13, # 19 Exhibit Horth−Neubert 4, Part 14, # 20 Exhibit Horth−Neubert 4, Part 15, # 21 Exhibit Horth−Neubert 4, Part 16, # 22 Exhibit Horth−Neubert 4, Part 17, # 23 Exhibit Horth−Neubert 4, Part 18, # 24 Exhibit Horth−Neubert 4, Part 19, # 25 Exhibit Horth−Neubert 4, Part 20, # 26 Exhibit Horth−Neubert 4, Part 21, # 27 Exhibit Horth−Neubert 4, Part 22, # 28 Exhibit Horth−Neubert 4, Part 23, # 29 Exhibit Horth−Neubert 4, Part 24, # 30 Exhibit Horth−Neubert 4, Part 25, # 31 Exhibit Horth−Neubert 4, Part 26, # 32 Exhibit Horth−Neubert 4, Part 27, # 33 Exhibit Horth−Neubert 4, Part 28, # 34 Exhibit Horth−Neubert 4, Part 29, # 35 Exhibit Horth−Neubert 4, Part 30, # 36 Exhibit Horth−Neubert 4, Part 31, # 37 Exhibit Horth−Neubert 4, Part 32, # 38 Exhibit Horth−Neubert 4, Part 33, # 39 Exhibit Horth−Neubert 5, # 40 Declaration Jennifer Pasquarella, # 41 Exhibit Pasquarella 1−12, # 42 Exhibit Pasquarella 13−18, # 43 Statement of Genuine Material Facts, # 44 Objectioins to Evidence)(Horth−Neubert, Stacy) (Entered: 09/21/2012)
09/24/2012	37	NOTICE of Appearance filed by attorney Galen Thorp on behalf of Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement (Thorp, Galen) (Entered: 09/24/2012)
10/03/2012	38	MINUTES (IN CHAMBERS) by Judge Otis D Wright, II: Hearing on MOTION for SummaryJudgment 33 scheduled for October 22, 2012 at 1:30 p.m., is herebyVACATED and taken off calendar. No appearances are necessary. The matter stands submitted, and will be decided upon without oral argument. An order will issue. (lc) (Entered: 10/03/2012)
10/03/2012	39	EXPARTE APPLICATION for Extension of Time to File Opposition to Plaintiff's Cross−Motion for Partial Summary Judgment filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # 1 Proposed Order)(Thorp, Galen) (Entered: 10/03/2012)
10/04/2012	40	OPPOSITION to EXPARTE APPLICATION for Extension of Time to File Opposition to Plaintiff's Cross−Motion for Partial Summary Judgment 39 filed by Plaintiff ACLU Southern California. (Attachments: # 1 Declaration)(Horth−Neubert, Stacy) (Entered: 10/04/2012)
10/04/2012	41	ORDER 39 by Judge Otis D Wright, II: Ex Parte Application GRANTED. Defendant's shall file an Opposition to Plaintiff's Cross−Motion for Partial Summary Judgment together with any Reply in Support of Defendant's Motion for Summary Judgment on or before 10/5/2012. Plaintiffs shall file any Reply in Support of Plaintiff's Cross−Motion for Partial Summary Judgment on or before 10/12/2012. (jre) (Entered: 10/04/2012)
10/05/2012	42	REPLY in Support of Motion MOTION for Summary Judgment as to all counts 33 *and in Opposition to Plaintiff's Cross−Motion for Summary Judgment* filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # 1 Exhibit Stmt of Genuine Issues, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Proposed Order)(Thorp, Galen) (Entered: 10/05/2012)
10/12/2012	43	REPLY MOTION for Summary Judgment as to all counts 33 filed by Plaintiff ACLU Southern California. (Attachments: # 1 Declaration Of Stacy R. Horth−Neubert, # 2 Proposed Order Revised Statement of Decision)(Horth−Neubert, Stacy) (Entered: 10/12/2012)
10/18/2012	44	NOTICE of Change of Attorney Information for attorney Galen Thorp counsel for Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. Filed by Defendant U.S. Dep't of Homeland Security and U.S. Immigration &Customs Enforcement (Thorp, Galen) (Entered: 10/18/2012)
10/18/2012	45	Notice of Electronic Filing re Notice of Change of Attorney Information (G−06), Notice of Change of Attorney Information (G−06) 44 e−mailed to john.g.setter@usdoj.gov bounced due to 550 5.1.1

		RESOLVER.ADR.RecipNotFound; not found. The primary e−mail address associated with the attorney record has been deleted. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e−mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(tyw) TEXT ONLY ENTRY (Entered: 10/22/2012)
10/25/2012	46	ORDER by Judge Otis D Wright, II: Defendants motion for summary judgment is GRANTED in part as to DHS and DENIED in part as to ICE. 33 Plaintiffs countervailing evidence casts substantial doubt as to the sufficiency of ICEs search. (See generally, Docket No. 36, Plaintiffs Oppn &Cross−Mot.) Plaintiffs cross−motion for summary judgment is conversely DENIED in part as to DHS and GRANTED in part as to ICE. Plaintiff shall lodge a proposed judgment reflecting this disposition forthwith. (lc). Modified on 10/29/2012 (lc). (Entered: 10/29/2012)